

Applicant : Sean R. Parent, et al.
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REMARKS

Claims 1-22 were pending and stand rejected. The applicant amended claim 11 for clarification. The applicant added claims 23-28. Claims 1-28 are now pending, of which claims 1, 14, 19, 20, 21, and 22 are independent. The applicant respectfully requests reconsideration in view of the following remarks.

Objection to Drawings

The drawings are objected to because they include reference character 220, which is not mentioned in the description. The applicant amended the specification to include the reference character 220.

Section 102 Rejections

Claim 14 stands rejected under 35 U.S.C. Section 102(b) as being anticipated by U.S. Patent Number 5,778,359 to Stent ("Stent"). The applicant respectfully traverses the rejection. Stent does not disclose limitations of claim 14. For example, claim 14 recites a computer program product that includes instructions to "receive a host data file, the host data file having a host data file format that is not understood by the computer program product." As recited, claim 14 requires that the host data file have a data file format that is not understood by the computer program product.

The Examiner contends that Stent, at col. 1, line 66 – col. 2, line 1, discloses a host data file that has a data file format that is not understood by the computer program product. The applicant respectfully disagrees. The text at issue discloses "a file of *undetermined* file record format. At least a portion of a file containing a plurality of file records of *undetermined* file record format is obtained." Col. 1, line 65 – col. 2, line 1 (emphasis added). The applicant respectfully submits that a file having an *undetermined* file record format does not necessarily have file record formats that are *not understood* by the program. The term *undetermined* means not yet determined, which is different from not understood. It is possible for a file record format to be *undetermined* and yet understood by a program, which is the case with Stent. In particular, Stent discloses that its program is able to automatically determine file record format. *See, e.g.,* Abstract (first sentence). The applicant respectfully submits that Stent's program, in being able

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to determine file record formats, understands file record formats. For at least this reason, Stent does not disclose or suggest a computer program product having instructions to receive a host data file that has a data file format not understood by the computer program product, as required by claim 14.

Moreover, the product recited by claim 14 includes instructions to "scan for a header that indicates the beginning of an embedded foreign data block packet . . . , the header including an identifier that designed to be distinguishable from all other data in the host data file."

The Examiner contends that Stent, at col. 2, lines 19-20 and col. 3, lines 50-52, discloses the claimed header. The applicant respectfully disagree. Col. 3, lines 50-52 is silent on identifiers. Col. 2, lines 19-20 discloses file types, for example, binary, card, text, and print. However, the file types discussed are not included in any headers, as required by claim 14. Furthermore, Stent does not teach that a file type constitutes an identifier designed to be distinguishable from all other data in the host data file, as also required by claim 14. For at least these reasons, Stent does not disclose or suggest a computer program product having instructions to "scan for a header that indicates the beginning of an embedded foreign data block packet . . . , the header including an identifier that designed to be distinguishable from all other data in the host data file," as required by claim 14.

The applicant respectfully submits that for the above reasons, claim 14 and its dependent claims are in condition for allowance.

Section 103 Rejections

Claim 1 stands rejected under 35 U.S.C. Section 103(a) as being unpatentable over Stent in view of Bjorn E. Blacklund, OOE: A Compound Document Framework ("Blacklund"). The applicant respectfully traverses the rejection because Stent and Blacklund do not disclose or suggest limitations of claim 1. For example, claim 1 recites a method that includes "generating packing data that describes the characteristics of the foreign data block," the packing data "including an identifier designed to be distinguishable form all other data in the host data file." The method further includes "embedding the packing data and the foreign data block as a foreign data block packet in the host data file." Claim 1 requires an embedding of packing data that

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describes characteristics of a foreign data block and that includes an identifier designed to be distinguishable from all other data in the host data file.

The Examiner contends that Stent, at col. 3, lines 50-52 and col. 2, line 9, discloses the claimed packing data and identifier. The Examiner further contends that Blacklund, at page 2, lines 29-33, discloses embedding of the packing data. The applicant respectfully disagrees. In regards to Stent, the portion which the Examiner contends discloses the claimed identifier discusses only file types. Stent does not disclose that the file types are included in packing data that describes characteristics of the foreign data block, as required by claim 1. Nor does Stent teach that a file type constitutes an identifier designed to be distinguishable from all other data in the host data file, as required by claim 1. In regards to Blacklund, the portion which the Examiner contends discloses an embedding of the claimed packing data discusses only editable embedded objects. Blacklund does not disclose that the editable embedded object includes the claimed packing data and identifier. For at least the above reasons, Stent and Blacklund do not disclose or suggest the limitation at issue.

The Examiner appears to recognize that none of the other applied references (i.e., U.S. Publication No. 2004/0210535 to Erickson, U.S. Patent Number 6,850,228 to Parks, and U.S. Patent No. 6,810,429 to Walsh) discloses or suggests the limitation at issue. Thus, the applicant respectfully submits that claim 1 and its dependent claims are in condition for allowance.

Claim 19 stands rejected under 35 U.S.C. Section 103(a) as being unpatentable over Blacklund in view of Stent. The applicant respectfully traverses the rejection because Stent and Blacklund do not disclose or suggest limitations of claim 19. For example, claim 19 recites a method that includes "receiving a packet to be embedded into the host data file, the packet including a foreign data block and further including a header and a trailer that delimit the foreign data block, the header including an identifier designed to be distinguishable from all other data in the host data file." As recited, claim 19 requires an embedding of a packet that includes a header. The header includes an identifier designed to be distinguishable from all other data in the host data file. The Examiner recognized that Blacklund does not disclose the claimed header but contends that Stent does. For the reasons discussed above with respect to claims 1 and 14,

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the applicant respectfully submits that Stent fails to disclose or suggest the claimed header. The applicant thus respectfully submits that claim 19 is in condition for allowance.

Claims 20-22 stand rejected under 35 U.S.C. Section 103(a) as being unpatentable over Backlund in view of Stent. Claims 20-22 each includes limitations similar to those of claim 19. For reasons discussed with respect to claim 19, the applicant respectfully submits that claims 20-22 are in condition for allowance.


New claims

The applicant added new claims 23-28, which depend from claim 21 and, furthermore, correspond generally to claims 2, 4, 6, and 9-11. The applicant respectfully submits that claim 23-28 are in condition for allowance for at least the reason that claim 21 is allowable.

Please apply excess claim fees in the amount of \$300 and any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:

June 15, 2005

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